

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_) )  
\_\_\_\_\_) )  
In Re: \_\_\_\_\_) Chapter 11  
DELPHI CORPORATION, et al.) )  
\_\_\_\_\_) Case No. 05-44481 (RDD)  
Debtors. \_\_\_\_\_) )  
\_\_\_\_\_) (Jointly Administered)

**CLAIMANT CONTROL MASTERS, INC.'S RESPONSE**  
**TO DEBTORS' FIFTH OMNIBUS CLAIMS OBJECTION AND**  
**RESPONSE TO DEBTORS' NOTICE OF OBJECTION TO CLAIM**

CLAIMANT, CONTROL MASTERS, INC., hereby submits its Response to Debtors' Fifth Omnibus Objection and its Response to Debtors' Notice of Objection to Claim ("Response") and in support thereof states as follows:

1. This Response pertains to the claim identified in the Debtors' Notice of Objection to Claim as follows:

Date Filed	Claim No.	Asserted Claim Amount	Basis for Objection	Treatment of Claim
6/19/2006	8219	\$3,340.00	Books and Records Claim	Disallow and Expunge

2. The name of the Claimant is Control Masters, Inc. and the basis for the amount of the claim (\$3,340.00) is the agreed price for hardware engineering and CAD services ordered by Debtor as described below.

3. Concise statement setting forth the reasons why the Claimant should not be disallowed or expunged:

- a. On September 9, 2005, Debtor ASEC Manufacturing General Partnership, d/b/a Delphi Catalyst, through its Purchasing Manager Jerry L. Hamlin, placed with Claimant Purchase Order No. 20155 (hereinafter "the Purchase Order") for, among other things, "hardware engineering & CAD services" at a stated purchase of \$3,340.00;
- b. On September 12, 2005, pursuant to the terms of the Purchase Order, Claimant, through its employee Joseph B. Balfe, agreed to the terms set forth in the Purchase Order, signed

the Purchase Order and returned it to the Debtor; and

- c. Claimant provided the hardware engineering and CAD services pursuant to the terms of the Purchase Order on or about September 30, 2005.

4. Attached to this Response are the following Exhibits as documentation sufficient to establish a prima facie right to payment:

- a. Exhibit A is a copy of the Purchase Order evidencing the agreement to purchase hardware engineering and CAD services for a purchase price of \$3,340.00.
- b. Exhibit B is a copy of Claimant's Invoice No. 13534 dated September 30, 2005 for the hardware engineering and CAD services in the amount of \$3,340.00 that remains unpaid.
- c. Exhibit C is a copy of Certificate of Fictitious Name of Delphi Catalyst doing business as ASEC Manufacturing General Partnership.
- d. Exhibit D is a copy of correspondence from Debtor (on a matter otherwise unrelated to the pending claim) provided to the Court as further evidence that ASEC Manufacturing General Partnership was doing business as Delphi Catalyst.
- e. Exhibit E is a copy of an email dated September 30, 2005 from Claimant to Debtor attaching the engineering and CAD drawings and plan.

5. Claimant intends to rely on the following confidential, proprietary or otherwise protected information, copies of which, in CD form, have been provided to Debtors' counsel, as evidence that the Claimant completed the order and is entitled to payment thereon:

CD with a full set of the engineering and CAD drawings and plans  
as ordered and as referenced in Exhibit D.

WHEREFORE, the Claimant, CONTROL MASTERS, INC., requests that the Court enter an Order overruling Debtors' Fifth Omnibus Claims Objection to the extent it relates to Claimant's Claim No. 8219 identified above, and approve such claim for payment, and for such other and further relief the Court shall deem just and proper.

Respectfully submitted,

CONTROL MASTERS, INC., Claimant

By: \_\_\_\_\_

Carl F. Horn, Its President